

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION**

MDL No. 2:18-mn-2873-RMG

CASE MANAGEMENT ORDER 26J

This Document relates to:

- *Donnelly v. 3M Co., et al.*, No. 2:20-cv-00209-RMG
- *Speers v. 3M Co., et al.*, No. 2:21-cv-03181-RMG
- *Voelker v. 3M Co., et al.*, No. 2:18-cv-03438-RMG

**ORDER GOVERNING THE PARAMETERS FOR DISPOSITIVE AND/OR
RULE 702 BRIEFING IN THE GROUP A KIDNEY CANCER CASES**

Pursuant to Case Management Order (“CMO”) 26-G, summary judgment and/or Rule 702 motions are due June 17, 2025, oppositions due July 17, 2025, and replies, if any, due July 31, 2025 in the above-captioned cases. The Court hereby issues the following CMO to govern the parameters for any summary judgment and/or Rule 702 motion(s) filed in accordance with these deadlines with respect to the three (3) Group A Kidney Cancer Actions designated by the Court to proceed through summary judgment and/or Rule 702 briefing, by Order dated May 9, 2025 [ECF 7109], *Donnelly v. 3M Co., et al.*, No. 2:20-cv-00209-RMG; *Speers, et al. v. 3M Co., et al.*, No. 2:21-cv-03181-RMG; and *Voelker v. 3M Co., et al.*, No. 2:18-cv-03438-RMG.

1. Summary Judgment Briefing:

- a. Plaintiffs do not intend to file summary judgment briefs.
- b. The Parties have agreed to the following page allocation:
 1. Defendants may file one brief on behalf of all Defendants not exceeding 20 pages in length addressing all three Actions.

2. Defendant 3M does not intend to bring a defendant-specific summary judgment brief for these Actions.
 3. Defendant Tyco/Chemguard may bring a defendant-specific brief up to 15 pages in length addressing these three Actions.
 4. Defendant BASF may bring a defendant-specific brief up to 15 pages in length addressing these three Actions.
 5. Defendant DuPont may bring a defendant-specific brief up to 15 pages in length addressing these three Actions.
 6. The Parties agree that Defendants' summary judgment briefing shall not exceed 65 pages across these three Actions, and Defendants may re-allocate pages as they see fit within that limit.
- 2. Rule 702 Motions Briefing:** Plaintiffs and Defendants may submit up to two Rule 702 Motion(s), provided those two (or one) Motion(s) do not exceed 55 pages in length total, addressing Rule 702 issues with respect to all three Actions.
- 3. Opposition Briefing:** Oppositions to any opening brief shall be limited to the same number of pages as the opening brief.
- 4. Reply Briefing:** Any reply briefs shall be limited in accordance with Local Civ. Rule 7.05(B).

s/Richard Mark Gergel

Honorable Richard Mark Gergel

June 16, 2025
Charleston, South Carolina